



**COMBINED DECLARATION AND  
POWER OF ATTORNEY  
IN ORIGINAL APPLICATION**

Attorney Docket No.

C34.12-0050

**SPECIFICATION AND INVENTORSHIP IDENTIFICATION**

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and Joint inventor of the subject matter which is claimed, and for which a patent is sought, on the invention entitled MULTIPLE SOURCE ALIGNMENT SENSOR WITH IMPROVED OPTICS the specification of which,

(check one) ☐ is attached hereto.

☒ was filed on August 27, 2003 as Appln. No. 10/649,324.

☐ and was amended on \_\_\_\_\_.

☐ was described and claimed in PCT International Application

No. \_\_\_\_\_ filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_.

**ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is known to me to be material to the patentability of this application in accordance with 37 C.F.R. § 1.56.

**PRIORITY CLAIM (35 U.S.C. § 119)**Prior Foreign Application(s)

I claim foreign priority benefits under 35 U.S.C. § 119(a-d) of any foreign application(s) for patent or inventor's certificate listed below, each of which is incorporated by reference in its entirety, and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Number	Country	Day/Month/Year Filed	Priority Claimed
_____	_____	_____	Yes _____ No _____
_____	_____	_____	Yes _____ No _____

Prior Provisional Application(s)

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States Provisional Application(s) listed below, each of which is incorporated by reference in its entirety:

Number	Day/Month/Year Filed
<u>60/406,822</u>	<u>August 29, 2002</u>
_____	_____

**PRIORITY CLAIM (35 U.S.C. § 120)**

I claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below, each of which is incorporated by reference in its entirety. Insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Appln. No.	U.S. Appl. No. (if any under PCT)	Filing Date	Status
<u>09/767,199</u>	<u></u>	<u>1-22-01</u>	<u>Pending</u>

**DECLARATION**

I declare that all statements made herein that are of my own knowledge are true and that all statements that are made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY**

I appoint the following attorneys and agents to prosecute the patent application identified above and to transact all business in the Patent and Trademark Office connected therewith, including full power of association, substitution and revocation: Judson K. Champlin, Reg. No. 34,797; Joseph R. Kelly, Reg. No. 34,847; Nickolas E. Westman, Reg. No. 20,147; Steven M. Koehler, Reg. No. 36,188; David D. Brush, Reg. No. 34,557; John D. Veldhuis-Kroeze, Reg. No. 38,354; Deirdre Megley Kvale, Reg. No. 35,612; Theodore M. Magee, Reg. No. 39,758; Christopher R. Christenson, Reg. No. 42,413; Brian D. Kaul, Reg. No. 41,885; Robert M. Angus, Reg. No. 24,383; Christopher L. Holt, Reg. No. 45,844; Alan G. Rego, Reg. No. 45,956; David C. Bohn, Reg. No. 32,015; Linda P. Ji, Reg. No. 49,027; Todd R. Fronek, Reg. No. 48,516; Nathan M. Rau, Reg. No. 45,466; Leanne R. Taveggia, Reg. No. 53,675; Z. Peter Sawicki, Reg. No. 30,214; and Peter J. Ims, Reg. No. 48,774.

I ratify all prior actions taken by Westman, Champlin & Kelly, P.A. or the attorneys and agents mentioned above in connection with the prosecution of the above-mentioned patent application.

**DESIGNATION OF CORRESPONDENCE ADDRESS**

Please address all correspondence and telephone calls to Christopher R. Christenson in care of:


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Inventor:  Date: 19 FEB 2004  
(Signature)

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Inventor:  Date: 23-Feb-2004  
(Signature)

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DK

Inventor: \_\_\_\_\_

(Signature)

Date: \_\_\_\_\_

2-20-04

Inventor: \_\_\_\_\_

Frederick M. Cash, II

(Printed Name)

Residence: \_\_\_\_\_

Maple Grove, Minnesota

Citizenship: \_\_\_\_\_

U.S.A.

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**VERIFIED STATEMENT CLAIMING  
SMALL ENTITY STATUS  
(SMALL BUSINESS CONCERN)**

Attorney Docket No.

C34.12-0050

Inventor(s): David D. Madsen et al.

Title: MULTIPLE SOURCE LASER ALIGN SENSOR WITH IMPROVED OPTICS

With respect to the invention described in

     the application filed herewith:

  x   application Serial No. 10/649,324, filed August 27, 2003:

     Patent No.     , issued     :

**I. IDENTIFICATION OF DECLARANT AND ANY RIGHTS AS A SMALL ENTITY**

I am:

     the owner of the small business concern identified below:

  x   an official of the small business concern empowered to act on  
behalf of the concern identified below:

NAME OF CONCERN CyberOptics Corporation

ADDRESS OF CONCERN 5900 Golden Hills Drive  
Golden Valley, MN 55416

The above-identified small business concern qualifies as a small business concern as defined in 13 CFR § 121.12, and reproduced in 37 CFR § 1.9(d), for purposes of paying reduced fees under 35 USC §§ 41(a) and (b).

**II. OWNERSHIP OF INVENTION BY DECLARANT**

Rights under contract or law remain with or have been conveyed to the above-identified concern. If the rights held are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person who could not be classified as (1) an independent inventor under 37 CFR § 1.9(c) if that person had made the invention, (2) a small business concern under 37 CFR § 1.9(d) or (3) a non-profit organization under 37 CFR § 1.9(e).

  x   There is no such person, concern, or organization.

     The person, concerns or organizations are listed below:

FULL NAME

ADDRESS

- [ ] Individual  
[ ] Small Business Concern  
[ ] Non-Profit Organization

**III. ACKNOWLEDGEMENT OF DUTY TO NOTIFY PTO OF STATUS CHANGE**

I acknowledge the duty to file, in this application or patent, notification of any change resulting in loss of entitlement to small entity status pursuant to 37 CFR § 1.28(b).

IV. DECLARATION

All statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

V. SIGNATURES

SIGNATURE 

Date: 2/18/04

NAME OF PERSON SIGNING Kitty Iverson

TITLE OF PERSON President/ Chief Executive Officer

ADDRESS OF PERSON SIGNING 5900 Golden Hills Drive  
Golden Valley, Minnesota 55416